



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

FEBRUARY 22, 2005

PRESENT: Acevedo, Escobar, Koepp-Baker, Lyle, Mueller, Weston

ABSENT: Benich

LATE: None

STAFF: Planning Manager (PM) Rowe, Senior Engineer (SE) Creer, Associate Planner (AP) Tolentino, and Minutes Clerk Johnson

Chair Weston called the meeting to order at 7:03 p.m., and led the flag salute.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Weston opened the public hearing.

Chair Weston noticed that he had received an e-mail from a resident on Saffron Street regarding water standing in the street; the matter was referred to SE Creer for investigation.

PM Rowe introduced the new Commissioner, Susan Koepp-Baker, advising the Commissioners that Ms. Koepp-Baker had been the unanimous choice of the City Council following interviews with the candidates.

Irma Torrez, Morgan Hill City Clerk, administered the Oath of Office to Commissioner Koepp-Baker. Immediately following, Chair Weston and the Commissioners welcomed Commissioner Koepp-Baker. She responded with a brief overview of her residency in the City and past experiences of involvement in government and a variety of public enterprises. Commissioner Koepp-Baker indicated she has been an "interested resident in my time here".

With no other persons in attendance indicating an interest in addressing matters not on the agenda, the public hearing was closed.

MINUTES

FEBRUARY 8,
2005

COMMISSIONERS ESCOBAR/MUELLER MOTIONED TO APPROVE
THE FEBRUARY 8, 2005 MINUTES, WITH THE FOLLOWING
MODIFICATIONS:

Page 6, paragraph 8. ~~Commissioner Mueller said as a general practice, even if an application is maxed out, at map submittal, the design requirement is consistent throughout. "Here the setbacks as submitted by the applicant was a math error. The applicant is claiming that he could have gotten 'better points' if not for the math error."~~ Responding to a question from Chair Weston, Commissioner Mueller said, "As a general rule, points are made up in the same category from which the points were lost. If that is not possible, the points can be made up in another category. Usually the points are lost because the project can not complete some commitment or a change is made which results in the loss of points. Here, we are talking about an extra point that was awarded when the lot coverage calculation was done incorrectly – and carried throughout the application. As a result of the error, the lot coverage was reported as lower than it actually is."

Page 11, paragraph 3: ~~A local citizen who chose not to identify herself (and did not provide a card) The speaker declined to state her name, noting she wished to keep her remarks anonymous.~~

Page 11, bullet 2: ~~corral corral~~

Page 13 Section 3, line 3: (add) *maximum* may be kept

Page 14, paragraph 8, line 2: ~~150~~ 18.56.150

Page 16, paragraph 3: ~~will begin meeting first~~ will have priority

THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, ESCOBAR, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: KOEPP-BAKER; ABSENT: BENICH.

Commissioner Acevedo was excused at 7:14 p.m. for the next agenda item, due to a potential conflict of interest.

NEW BUSINESS:

1) **ZA-04-15/
SD-04-05/DA-04-03:
HILL-GERA** A request for approval of a zoning amendment, subdivision, and development agreement for the construction of nine single-family homes on an approximate nine-acre site located west side of Hill Rd., between Pear Dr. and Jean Ct. Approval of the zoning amendment application would establish a precise development plan for the nine-lot subdivision as well as four existing lots north of Jean Ct. (approx. 10 acres) which are proposed to be subdivided in the future. The overall 19-acre site is zoned Residential Estate (40,000)/Residential Planned Development.

PM Rowe presented the *staff* report, noting the background of past actions regarding this application, inclusive of this area being part of pre-zoning and annexation attempts [Residential Estate/Residential Planned Development]. He pointed to the large transitional lots at the north end of the property, with 'step down' lot sizes to the Orchard Park Subdivision at the south. "There will be nine lots added to Orchard Park

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Homeowners Association”, PM Rowe explained, “with additional lots utilized for the common areas which will ease some of the burden on the existing homeowners association to maintain the parks. There will be an expansion of a corner park with resultant detention pond size increase.” PM Rowe called attention to the size of the homes, and pointed out that the proposed Resolution No. 05-09, Section 6, has been revised to indicate that on lots 1 – 9 the home will be single story. [Section 6 as presented was deleted, and the new language added.] This change, he said, was because, as specified in the lots, four of the lots are now ‘custom lots’.

PM Rowe also pointed out revisions to the Development Agreement:

Standard conditions:

Page 2: uncheck II, B

Page 4: check III, C and D; uncheck V, A (a separate plan will be sent to ARB in April)

Page 5: V, H: (add) *Open Space A/B*

Page 6: uncheck VII, I (this is part of the mitigation in the Negative Declaration)

Page 11: (add) *Hill Road* (in response to a letter received from neighbors)**

Page 19: check XX, A

Page 20: insert revised page (also reflective of page 2 – uncheck)

**PM Rowe noted a letter received from the Thomas’ who are neighboring property owners. The letter requested the Commissioners’ condition approval by requiring improvements on Hill Road and Jean Road, down to Dunne Avenue north of Jean Court and on to Diana. Referencing the area by Castro, the Thomas asked for continuous sidewalks, curb and gutter. Commissioners noted that Castro is not a part of this project, with PM Rowe advising the applicant agreed to put in improvements to the south of Schaffer Drive. Responding to a question from the Chair, PM Rowe advised that as part of the precise plan, improvements would be required at the time of commencement of the project.

The Commissioners discussed the letter from the Thomas’ at length, and agreed with the letter content that there is concern of a bottleneck with increased High School traffic in the area. The Commissioners conferred with SE Creer about the ‘extra piece of road’ where the bottleneck might occur. Chair Weston asked if the City has some sort of ‘de facto agreement’ with the owner of the property that they will improve the road at a future time? He expressed concerns that if the improvements were done now, other items for an ‘in lieu’ might be difficult to obtain.

Commissioner Lyle stated he thought this to be a ‘right-of-way issue’. During the ensuing discussion, PM Rowe advised it would be in the best interest of the City to have this development do the improvements. Commissioners discussed ‘what happens if this developer completes this set of improvements. Chair Weston continued to press for resolution of the perceived issue of what the ‘other property owner might be required to do in the *in lieu* issue. Commissioner Escobar pointed out that that matter was not before the Commission and could be dealt with in the future. PM Rowe advised, “It appears the Commissioners are not saying ‘in lieu of’, but addressing the safety issue.” He explained this is a ‘timing issue’ to avoid having the road ‘narrow down’, and again stated this is basically a safety issue. Commissioner Mueller agreed, saying, “That is the right way to do this set of improvements. If there is an issue later, we can look at getting collections of in lieu fees; this would be beneficial to the City.” Chair Weston continued to press for resolution of the issue he raised. Other Commissioners – during discussion – declared,

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“Here we have an owner on the north side of the street who will eventually give the right-of-way, so it would be proper to have this developer (Gera) complete the improvements and consider requiring that owner to complete development of improvements in another area.” *Commissioner Mueller restated the discussion as follows: early dedication by the Castro property is an important benefit to the City because it would allow (this applicant) to complete the widening of Hill road - at the beginning of construction for this application – and would therefore eliminate a safety issue.*

SE Creer determined the location of the property and said that a right-of-way does not exist at the location on north side of street, but Mr. Gera would like to complete the improvements. In discussion with Public Works, Mr. Gera suggested this recently. He stated that the developer has made commitments for improvements on the east side of the road, but those are not as critical as those to the west. Chair Weston asked about commitments made by the developer during the Measure P process? SE Creer gave an overview.

Discussion was had regarding the property on the north side where the right-of-way is needed and the new wrought iron fence recently installed. SE Creer advised it appears the fence is far enough back, but if it is necessary to have it moved, the property owner is receptive to a proposal. “It could be done rather quickly - within a month or so.”

Chair Weston opened the public hearing.

Commissioner Lyle asked Mr. Gera if he had approached the property owner about moving the fence. He replied that he had done so, and the fence was not a problem, as the owner was willing to cooperate.

Mr. Gera responded to further questions by saying he can meet the schedule recommended by Staff.

Chair Weston said he wanted to determine the work plan for improvements to ascertain if it could be done. Mr. Gera said Bill McClintock of MH Engineering is designing the plan, which will contain at least the curb and gutter, but ‘I don’t know about a sidewalk’. PM Rowe explained the Engineer’s estimate for expenditure of dollar per unit, which remains constant.

Commissioner Lyle referenced the development schedule, noting the recommendation is for three units during the second year, and saying, “Staff has recommended adding an extra year, which we normally do not do. Would there be a problem if those dates were changed to January 31, 2006 and March (3)1, 2006?” Mr. Gera stated that would be acceptable.

With no further persons in attendance indicating a wish to speak to the matter, the public hearing was closed.

Commissioner Mueller brought up the issue of the RPD overlay which occurs on Jean Court, and if a height restriction is to be considered, this meeting would be the last time to look at such a restriction. “If it is not done now, it would be very difficult to do in the future,” he said. PM Rowe explained that the dwellings nearby are two-story homes, so some transition is needed. Commissioner Mueller replied that he thought it would be

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better to restrict the homes on the north side to a single story. "It would be beneficial," he said, urging the Commissioners to consider the proposal.

Commissioners discussed whether the four lots would be required to join the Orchard Park HOA. PM Rowe explained that lots could be included if the HOA agrees, and these four are not under consideration by the HOA at this time. PM Rowe also advised that the lots Mr. Gera has are limited to those identified.

COMMISSIONERS MUELLER/ESCOBAR MOTIONED APPROVAL AND ACCEPTANCE OF THE MITIGATED NEGATIVE DECLARATION AS PRESENTED. THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: ESCOBAR, KOEPP-BAKER, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, BENICH.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-09, APPROVING A ZONING AMENDMENT TO ESTABLISH AN RPD OVERLAY AND PRECISE DEVELOPMENT PLAN FOR 17 RESIDENTIAL LOTS WEST OF HILL ROAD BETWEEN PEAR DRIVE AND JEAN COURT, TOGETHER WITH THE AMENDMENTS NOTED DURING DISCUSSION AND FURTHER THAT THE FOUR CUSTOM LOTS (11, 12, 15 and 17) OUTSIDE THE SUBDIVISION, BUT INSIDE THE RPD, BE SINGLE STORY (PROVIDING BETTER BLENDING ON JEAN COURT).

Commissioner Lyle stated concern of the 2-story requirement, noting the houses to the north are 2-story and there might be objection of height(s) in the area. The Commissioners discussed the problems with future splits and if 2-story dwellings were put on the subsequent lots.

COMMISSIONER ESCOBAR SECONDED THE MOTION, AND INDICATED INCLUSION OF THE FINDINGS AND CONDITIONS CONTAINED WITHIN THE RESOLUTION. THE MOTION PASSED WITH THE FOLLOWING VOTE: AYES: ESCOBAR, KOEPP-BAKER, LYLE, MUELLER; NOES: WESTON; ABSTAIN: NONE; ABSENT: ACEVEDO, BENICH.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-10, APPROVING A NINE LOT RESIDENTIAL SUBDIVISION FRONTING THE WEST SIDE OF HILL ROAD BETWEEN PEAR DRIVE AND JEAN COURT, TOGETHER WITH THE MODIFICATIONS NOTED DURING DISCUSSION AND PROVIDING THE ABILITY FOR REVISING THE SCHEDULE AND REQUIREMENTS FOR INSTALLATION OF IMPROVEMENTS, AND INCLUDING THE FINDINGS AND CONDITIONS THEREIN.

Chair Weston brought forward several items in Exhibit A for discussion:

Page 5: V. (Landscaping) Condition F

Page 4: Section III, items c & d

Page 14 XVIII (Does the City have regular times to look at sewer capacity to see if Measure C applications can be accommodated? PM Rowe explained the updates of various master plans, which in turn results in the study of the sizing of the mains (infrastructure) that may require adjustment)

Page 17: item AA; Chair Weston spoke of a project on Main Street that has fire

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protection apparatus located at the front of the project and expressed that hadn't been seen by the Commissioners, but the plans presented had been scrutinized and 'at the last

minute this suppression system 'popped up'. Chair Weston said the problem appears to be mostly on commercial projects and expressed concerns about the ramifications of installations not reviewed by the Commissioners.

Page 20: XXIII C; Chair Weston said he had just undergone issues with this matter with his project and new regulations recently adopted; he said this requires addressing at this, state and if appropriate, consider the location of group mailboxes and further explaining the guidelines for such installations. Commissioner Escobar pointed out that on revisions presented, the mailboxes must be paired. There was considerable discussion about mailbox pairing and locations, with PM Rowe offering explanation of XXIII C.

Chair Weston then turned attention to sheet two of the grading plan, expressing concern that this is on-site, but has some ramifications of attachment to the City's laterals. SE Creer remarked that lots 1, 2, and 3 contain a storm drain intended to drain (via catchment basins) to lots 7, 8, and 9. He assured that if this is not a viable drainage plan, Public Works Staff will work with the applicant to achieve a 'reasonable way to drain to the catchment basins'. SE Creer continued, "With this type of drainage, a catchment basin may use a lot more space," and assuring that Public Works 'will review the matter at the time of final map review very thoroughly.' SE Creer said that the 'quick look at the plan at this time' indicates that this is generally not a permitted plan for this type of subdivision.

COMMISSIONER ESCOBAR SECONDED THE MOTION, WHICH PASSED WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; ACEVEDO AND BENICH WERE ABSENT.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-11, RECOMMENDING APPROVAL OF A DEVELOPMENT AGREEMENT FOR THE CREATION OF NINE SINGLE-FAMILY HOMESITES FRONTING THE WEST SIDE OF HILL ROAD BETWEEN PEAR DRIVE AND JEAN COURT, AND THE FINDINGS AND CONDITIONS INCLUDED WITHIN.

Commissioner Lyle asked for variation of:

(n) (iii) [page 8] to allow alternative off site improvements *and*

Exhibit B: IV: Building Permit submittal ~~March 31, 2006~~ January 31, 2006

V. Building permits FY 2005-06 (3 units) ~~May 15, 2006~~ March 31, 2006

COMMISSIONER MUELLER, AS MAKER OF THE MOTION, AGREED TO THE SUGGESTED LANGUAGE AND DATE MODIFICATIONS.

Chair Weston commented (and described the comments as 'editorial') on [page 8] #19, "Regarding lots 1 and 9, I am concerned with this type of correction. What's the use of sound insulation board if it is placed so far away from Hill Road?" PM Rowe suggested adding 'if necessary' to the item.

COMMISSIONER MUELLER, AS MAKER OF THE MOTION, AGREED TO THE SUGGESTED LANGUAGE ADDITION.

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COMMISSIONER ESCOBAR PROVIDED THE SECOND FOR THE MOTION. THE MOTION PASSED WITH THE FOLLOWING VOTE: AYES: ESCOBAR,

KOEPP-BAKER, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, BENICH.

Commissioner Acevedo rejoined the meeting at 8:05 p.m.

**2)ZAA-02-18:
COCHRANE-
IN-N-OUT
BURGER**

A request for approval to amend the provisions of a zoning amendment approval allowing for the construction of a 3,253-sf drive-thru, fast food restaurant and a sit down restaurant 5,000 to 6,500-sf in size in the Tharaldson Planned Unit Development (PUD). Specifically, the applicant is requesting a one-year extension of time for the construction of the two restaurants. The subject site is approximately 2.5 acres in size, and is located at the northwest quadrant of Cochrane Road and Highway 101 in a PUD zoning district.

AP Tolentino presented the staff report, indicating the location and telling the history of the PUD. She reminded that this extension is a result of a condition set by the City Council: the sit-down restaurant must be under construction before a building permit will be issued for the fast food service. The zoning approval was limited by the Council to a two-year period. AP Tolentino reminded that May 7, 2005 is a deadline – and it appears that In-N-Out cannot meet that deadline. She advised that In-N-Out owns the property and has diligently tried to partner with a sit down restaurant. Denney's Restaurant has now entered into negotiations with the business but there is not enough time for In-N-Out to have the conditions met, so the extension is requested.

Commissioner Acevedo referenced the title of the zoning amendment and said since the extension of time is likely to be granted, he thought it proper to change the reference to In-N-Out only since the originally intended partner no longer was part of the request. PM Rowe advised that would be OK, and could be made part of a motion.

Chair Weston opened the public hearing.

No persons in the audience indicated a wish to speak to the matter; the public hearing was closed.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-12, RECOMMENDING APPROVAL TO AMEND ORDINANCE NO. 1616 N.S. TO GRANT ONE ADDITIONAL YEAR FOR THE CONSTRUCTION OF A 3,252-SF DRIVE-THRU FAST FOOD RESTAURANT AND A SIT DOWN RESTAURANT 5,000 TO 6,500-SF IN SIZE AT THE NORTHWEST QUADRANT OF COCHRANE ROAD AND HIGHWAY 101, INCLUSIVE OF THE FINDINGS AND CONDITIONS CONTAINED THEREIN.

COMMISSIONER ESCOBAR SECONDED THE MOTION, INDICATING THE MODIFICATION PROPOSED BY COMMISSIONER ACEVEDO: THAT FUTURE REFERENCES TO THE PROJECT TO INCLUDE ONLY THE FAST FOOD RESTAURANT (IN-N-OUT BURGER) AS A TITLE.

Chair Weston announced he would speak in the minority and declared he didn't believe the In-N-Out fast food restaurant should be constructed at this spot. "This expressly

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progresses the continuum that every city on the Bay peninsula has. This City is special. My preference would not to have visitors see this type of gateway when they first travel by or for the destination,” he said.

The motion passed with the following vote: **AYES: ACEVEDO, ESCOBAR, KOEPP-BAKER, LYLE, MUELLER; NOES: WESTON; ABSTAIN: NONE; ABSENT: BENICH.**

**3)EOT-04-04:
COCHRANE-
IN-N-OUT
BURGER**

A request for approval of a one-year extension of time for a conditional use permit allowing the construction and operation of a 3,253-sf drive-thru, fast food restaurant in the Tharaldson Planned Unit Development (PUD). The subject site is approximately 1.48 acres in size and is located at the northwest quadrant of Cochrane Road and Highway 101 in a PUD zoning district.

AP Tolentino gave the staff report, saying this is the same site, same applicant and same request. The condition imposed by the Council – requiring the sit-down restaurant to be under construction prior to issuance of a building permit for the drive-thru fast-food restaurant prevents the applicant from meeting the deadline of the conditional use permit which requires commencement of the drive-thru fast-food use by May 2005, consequently, this request. AP Tolentino presented a revision to ***Resolution No. 05-13: Staff Recommended The Addition Of Section 5: Approval Of This One-Year Extension Of Time Shall Be Contingent Upon The City Council’s Approval Of The Extension Of Time Request For Zoning Amendment Application, ZAA-02-18”Cochrane – In-N-Out Burger/Applebee’s.***

Chair Weston opened the public hearing.

No persons were present to address the matter; therefore, Chair Weston closed the public hearing.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-13, APPROVING A ONE-YEAR EXTENSION OF TIME FOR CONDITIONAL USE PERMIT UP-02-12: COCHRANE – IN-N-OUT BURGER ALLOWING FOR THE ESTABLISHMENT OF A 3,253-SF DRIVE-THRU FAST FOOD RESTAURANT AT THE NORTHWEST QUADRANT OF COCHRANE ROAD AND HIGHWAY 101, INCLUSIVE OF THE MODIFICATION PRESENTED BY STAFF, AND WITH THE FINDINGS AND CONDITIONS CONTAINED THEREIN.

COMMISSIONER ACEVEDO PRESENTED THE SECOND; THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, ESCOBAR, KOEPP-BAKER, LYLE, MUELLER; NOES: WESTON; ABSTAIN: NONE; ABSENT: BENICH.

**4)ZA-05-02: TEXT
AMENDMENT-
MONUMENT
SIGNS/FORD
MOTOR CO.**

A request for approval to amend the City Sign Code to increase the allowable sign area for monuments signs in Commercial and Industrial Zoning Districts by two feet, thereby allowing monument signs up to a maximum 50 square feet in size.

AP Tolentino presented the staff report, noting the reason that the matter was before the Commission: when the sign permit for the Ford Store was heard before the ARB, the monument sign for this business exceeds the current limitations. There is no provision for variation in the Ordinance, so a change in the sign code is being requested. AP Tolentino

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stressed Staff's recommendation that the requested sign change be applied only to Planned Unit Developments so that the City maintains control over the design of the monument signs.

Commissioners discussed with Staff:

- why there had not been a provision for variance request [no provision under sign code; the applicant was asking for exception to a Standard with no special circumstances so if a variance were to be granted, others could say preferential treatment/special privilege had been granted]
- requests of this type could be reoccurring if allow under a variance
- concern: the exception will become the norm
- not a proper action with which to deal with the matter
- this has been *the* standard
- review by staff of the process for exception and variance
- this is only for a PUD
- must be reviewed/approved by ARB

Chair Weston opened the public hearing.

No one was present to address the matter. Chair Weston closed the public hearing.

Further discussion ensued, including:

- concern about 'opening the door' to numerous other like-requests, as there are 'a lot of PUDs'
- possibility of making this type of action applicable to 5 acre + properties
- need to be more restrictive
- consideration of using lot frontage for a basis of signage
- current requirements
- the linear square footage issue
- how many 5 acre lots facing freeway
- large number of 5-acre lots facing Condit

Commissioner Mueller stated he had no problem with putting the modification into the Code. "It puts into place the expectations of the City," he said.

Commissioner Escobar said he suspects that those owners with 48-foot signs might seize the opportunity. "If the Commissioners are apprehensive about what's still to be built, do we have basis for being concerned?" he asked. "We seem bent on throwing up considerable limitations without knowing what might come."

Commissioner Mueller responded he could understand the concerns, but thought that by putting in acreage restriction(s) now, the City could look at each individually in future. "If there is not an issue then, we still will have better controls," he said.

Commissioner Lyle stated he felt the current 48-foot standard is excessive and would like to further limit the ~~site~~ size of monument signs.

Commissioner Koepp-Baker remarked that if suddenly Condit was fully developed, huge signs on either side of the street would not be desirable.

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Commissioner Escobar expressed the thought that there should be consideration of a number of issues concerning the matter.

Commissioner Lyle said, "If we set the restriction with acreage limitations, we may well want to be more restrictive but through time the signs may become bigger and bigger."

Chair Weston thought this would provide the opportunity to look at the issue in depth.

Commissioner Lyle expressed alarm that, "Before long, we may be asked to make changes for everybody along the freeway."

Commissioner Acevedo clarified that there are not currently a lot of businesses on five-acres. "This is just one business; we can see what happens," he said.

Commissioners presented – for discussion – several different scenarios of potential signage.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-14 , RECOMMENDING APPROVAL OF A TEXT AMENDMENT TO SECTION 18.76.250.H.1.B OF THE SIGN CODE TO INCREASE THE MAXIMUM ALLOWABLE SIGN AREA FOR ON-SITE FREESTANDING SIGNS IN COMMERCIAL AND INDUSTRIAL PLANNED UNIT DEVELOPMENTS FROM 48 SF TO 50 SF, INCLUDING THE FINDINGS AND CONDITIONS CONTAINED THEREIN, AND MODIFICATION TO SECTION 3 AS FOLLOWS:

...maximum of 50 square feet for lots five acres or greater in size and zoned commercial PUD.....

COMMISSIONER ESCOBAR OFFERED THE SECOND TO THE MOTION, and expressed the willingness 'to explore further'.

THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: ACEVEDO, ESCOBAR, LYLE, MUELLER, WESTON; NOES: KOEPP-BAKER; ABSTAIN: NONE; ABSENT: BENICH.

Chair Weston noted the noticed agenda items had been completed and made the announcement that on March 1, 2005 the Commissioners would hold a special meeting for the purpose of final award(s) distribution of RCDS building applications. The meeting, he said, would begin at 7:00 p.m. Commissioners discussed the information that

There were eight appeals to the City Council which would be considered tomorrow night (February 23, 2005). PM Rowe explained if a scoring variation was resultant from that meeting, the Commissioners would have to deal with that matter at the March 1 meeting. At the request of the Commissioners, PM Rowe explained the contested issues of the appeals.

PM Rowe provided the report the City Council actions:

ANNOUNCEMENTS: At the February 16 meeting, the Council approved the RCDS 4th quarter report; the next quarterly report will include the Housing Element information requested by the

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Commissioners

At the same meeting, the City Council rescheduled the General Plan amendment. "In April, a number of applications will be heard this year which entail the preparation of environmental documents, including the area of Cochrane and Highway 101 (this being 60+ acres). "Because of the time to needed to prepare an EIR, Planning Staff asked to have the report deadline extended to July," PM Rowe explained, noting a special meeting in July might be required.

ADJOURNMENT: Chair Weston hailed Commissioner Koepp-Baker's addition to the Commission, and wished her luck as he adjourned the meeting at 8:45 p.m.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk